



#5
S.B.
1615 102400
RECEIVED
OCT 20 2000
TECH CENTER 1600/2400

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Jau-Fei Chen)
Serial No.: 09/298,245) Art Unit
Filed: April 23, 1999) 1615
For: CACTUS FRUIT SKIN)
CARE PRODUCTS)
Examiner: P. E. McQueeney)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents
Washington, D. C. 20231

Sir:

This Supplemental Information Disclosure Statement is being submitted pursuant to 37 C.F.R. § 1.97(c) in order to bring to the attention of the Examiner the PCT search reports and references cited therein in connection with two PCT applications which relate to the above-identified U.S. patent application.

In this regard, the referenced PCT search reports apparently issued on July 24, 2000 and July 26, 2000, less than three months prior to the filing of this Supplemental Information Disclosure Statement. Further in this regard, the PCT search reports were not received by the undersigned attorney of record until August 2, 2000. The undersigned attorney of record then undertook to obtain complete copies of the references referenced in the PCT search reports, since most of the "references" provided with the PCT search reports were merely English language key words or abstract information which relate to various foreign language patent documents. In this regard, 14 of the 15 cited PCT references are in languages other than English, and it has not yet been possible to procure complete copies of all of the references referenced in the PCT search reports. In addition, no translations of any of the foreign language patent documents are presently available. Hence, in some instances, all that is presently available is the English language key words or abstract information provided with the PCT search reports, which the Examiner may consider to be the only "statement of relevance" presently available to applicant. By this Supplemental Information Disclosure Statement, applicant has provided all of the information presently available to applicant, namely, the PCT search reports themselves, the English language key words or abstracts relating to each of the references cited in the PCT search reports, and copies of the foreign references referenced in the search reports which have been obtained to date.

This Supplemental Information Disclosure Statement is also being submitted in order to bring to the attention of the Examiner references recently cited in an Office Action dated September 1, 2000 in a related case, namely, application Serial No. 09/298,702.

As is evident, since the Office Action for application Serial No. 09/298,702 apparently

issued on September 1, 2000, such Office Action and the references cited therein were brought to the attention of the undersigned attorney of record less than three months prior to the filing of this Supplemental Information Disclosure Statement. Further, the Office Action and cited references were not received by the undersigned attorney of record until September 11, 2000. By this Supplemental Information Disclosure Statement, applicant has provided copies of the references cited in that Office Action which have not already been made of record in the present case.

Pursuant to 37 C.F.R. § 1.97(c) and (e) (1), applicant would state that each item of information contained in this Supplemental Information Disclosure Statement under the headings "Foreign Patent Documents" and "Other Documents," with the exception of the English abstract of Japanese patent document No. 10072338, was cited in a communication from a foreign patent office, namely, the PCT searching authority in Europe, in counterpart foreign applications, namely, two PCT applications, not more than three months prior to the filing of this Supplemental Information Disclosure Statement. Further pursuant to 37 C.F.R. § 1.97(c) and (e) (2), applicant would state that neither the English abstract of Japanese patent document No. 10072338 nor any item of information contained in this Supplemental Information Disclosure Statement under the heading "U.S. Patent Documents" was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the best knowledge of the person signing this Statement after making reasonable inquiry, neither the English abstract of Japanese patent document No. 10072338 nor any item of information contained in this Supplemental Information Disclosure Statement under the heading "U.S. Patent Documents" was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the

filing of this Supplemental Information Disclosure Statement.

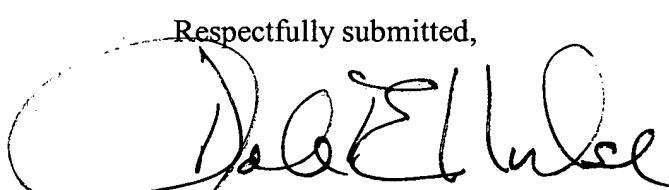
In view of the above provided statements, it is believed that no fee is necessary in connection with this matter. If, however, any fee is found to be owing in connection with this matter, authorization is given to debit Deposit Account No. 500843 in such amount.

Thus, it is respectfully requested that all of the enclosed references be considered by the Examiner. A completed copy of Form PTO-1449 is enclosed herewith reflecting all of the references submitted by this Statement. Copies of each of the cited references have also been enclosed.

In view of the fact that this Supplemental Information Disclosure Statement fully complies with the requirements of 37 C.F.R. § 1.97(c), it is respectfully requested that the Examiner initial and return the enclosed Form PTO-1449 in order to indicate that each of the references listed thereon has been considered in connection with the present application.

Dated this 16th day of October, 2000.

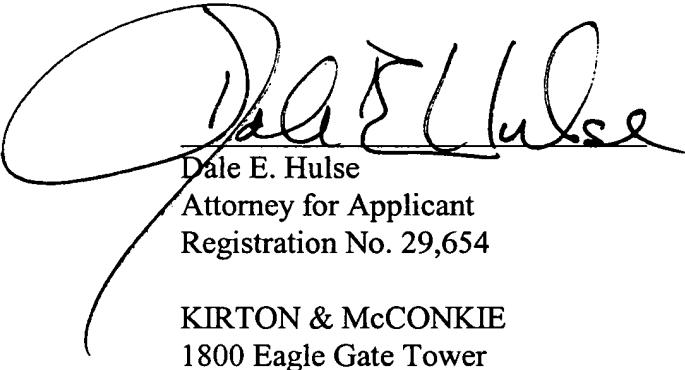
Respectfully submitted,


Dale E. Hulse
Attorney for Applicant
Registration No. 29,654



CERTIFICATE OF DEPOSIT UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage-prepaid, in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231, on this 16th day of October, 2000.


Dale E. Hulse
Attorney for Applicant
Registration No. 29,654

KIRTON & McCONKIE
1800 Eagle Gate Tower
60 East South Temple
P.O. Box 45120
Salt Lake City, UT 84145-0120
Telephone: (801) 328-3600

Transmitted: Supplemental Information Disclosure Statement
Form PTO-1449
Copies of cited references

W:\7500\7537\0029\dehSuppInfoDisclosureStatementFRM.wpd